

**UNITED STATES DISTRICT COURT**  
for the

United States of America	)	FILED 08 APR 24 16:42 USDC-ORP
v.	)	
Antonio Irving Benjamin	)	Case No: 02-405 RE
	)	USM No: 58564-065
Date of Previous Judgment: <u>10/02/2003</u>	)	Stephen R. Sady
(Use Date of Last Amended Judgment if Applicable)	)	Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 120 months is reduced to 100.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level: <u>27</u>	Amended Offense Level:	<u>25</u>
Criminal History Category: <u>V</u>	Criminal History Category:	<u>V</u>
Previous Guideline Range: <u>120</u> to <u>150</u> months	Amended Guideline Range:	<u>100</u> to <u>125</u> months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain):

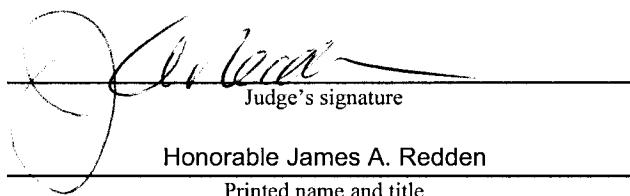
**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated 10/02/2003 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 04.24.08

Effective Date: \_\_\_\_\_  
(if different from order date)

  
Judge's signature  
Honorable James A. Redden  
Printed name and title